



**MINUTES OF THE SPECIAL JOINT  
CITY COUNCIL/ REDEVELOPMENT AGENCY  
OF THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, October 16, 2001, 8:00 p.m.**

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**MEETING**

The Special Joint City Council/Redevelopment Agency Meeting of the City Council was called to order by Mayor/Chair Cooper at 8:00 p.m., followed by the Pledge of Allegiance led by Council Member Jimenez.

**ROLL CALL**

Present: COUNCIL/RA MEMBERS Jimenez, Hilson,  
Rodriquez, Ward, Dowling, Henson  
MAYOR/CHAIR Cooper  
Absent: None

**PUBLIC COMMENTS**

Robert Sakai, Kathy and Clark Streeter, representing the Hayward Rotary Club Foundation, presented a book on the history of the Rotary Club to Mayor Cooper and City Manager Armas. Kathy Streeter presented the book entitled, A Foundation for the Future, written by Clark Streeter. This year's project, "Fields of Dreams," will provide lights for each of the Hayward High School football fields for night games, additional bleachers, and concession stands. Mayor Cooper praised them on their efforts and commented favorably on one of their projects, Newman Park.

Jochen Faas, Javier Romero, and Emmanuel Imson, residents of Orchard Park, inquired whether there has been any resolution to their problems related to noise from the Seaside Trucking Company, which they brought to Council several weeks ago.

In response to Mayor Cooper's question, City Manager Armas indicated that both Planning and Police staff have investigated the matter, and the trucking company has relocated its refrigerated trailers to the opposite side. Seaside is in compliance with its use permit.

Betty and Walter Ramstedt provided appraisal information regarding their commercial property and the scheduled eminent domain public hearing.

Jason Moreno announced that a professional women's tennis tournament would be held October 29 through November 4 at Hidden Hills Tennis Club.

Jim Drake commented on community benefits that could be derived from the projected power plant including offering discounts to senior citizens.

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Robert Lopez made comments on the housing element work session held earlier.

Walter Remstedt displayed photos of his building taken before and after his remodeling project and enumerated the various improvements made since he acquired it to substantiate his investment. He commented that his improvements were extensive, expensive and made for long-term use. He spoke against the 'comps' used to value his building and against the City's use of eminent domain proceedings to 'take' his property.

City Manager Armas informed the Council that a public hearing is scheduled for October 23 on this issue.

Mynette Boykin, a resident at Orchard Park and commercial business owner, spoke regarding the noise impacts caused by the Seaside Trucking and suggested that the trucks be stored within its warehouse or that Seaside rent other commercial areas to park its trucks.

Bhann Padhi, an Orchard Park resident, submitted a card, but did not speak.

## **CONSENT**

### **1. Approval of Minutes of the City Council Meeting of October 9, 2001**

It was moved by Council Member Henson, seconded by Council Member Ward, and unanimously carried to approve the Minutes of the City Council Meeting of October 9, 2001.

### **2. Sidewalk Rehabilitation and Wheelchair Ramps - Approval of Plans and Specifications and Call for Bids**

Staff report submitted by Deputy Director of Public Works Bauman, dated October 16, 2001, was filed.

It was moved by Council Member Henson, seconded by Council Member Ward, and unanimously carried to adopt the following:

Resolution 01-148, "Resolution Approving Plans and Specifications for the New Sidewalk Rehabilitation Project, Project No. 6917, and the Wheelchair Ramps 2001-2002 Project, Project No. 5108, and Call for Bids "



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**LEGISLATIVE BUSINESS**

**3. Downtown Sidewalk and Streetscape Improvements: Authorization to Amend a Professional Services Agreement and Appropriate Downtown Redevelopment Funds**

Staff report submitted by Deputy Director of Public Works Bauman, dated October 16, 2001, was filed.

Director of Public Works Butler made the staff presentation. He noted that the City's effort to establish a local improvement district was not approved by the downtown property owners. Staff has developed a new program that would be funded by Redevelopment Agency monies previously appropriated for the proposed district. This revised recommendation was presented to the Council's Downtown Committee, which recommended that the full Council proceed to complete the proposed improvements. He described the proposed improvements that include revised boundaries, spot repair of sidewalks and reconstruction of sidewalks at cellar closures in the revised boundaries. In regards to trees, the plan includes removing the Australian Willow trees from B Street and replacing them with thirty-foot Chinese Hackberry trees and replacing trees in poor condition with Victorian boxwoods. Other improvements include reconstruction of sidewalks at cellar closures, installation of tree grates, landscaping patio areas, low walls and installing kiosks. He noted that no work proposals are scheduled for Foothill Boulevard. If approved, staff will meet with property owners to describe the extent of the improvements and provide the construction schedule. He recommended approval of the use of the consultant previously used for final design work and approval of funding for this proposed project.

Council/RA Member Henson commended the Downtown Committee for recommending this proposal. He asked for further clarification on the revised boundaries. He noted his concern that the project does not include improvements proposed for Foothill as an entryway to the City. City Manager/Executive Director Armas pointed out that some improvements have already been installed on Foothill including the area near the Long's Drug Store. Other improvements may be included when the Foothill Albertson's store is replaced with another business.

In response to questions from Council/RA Member Dowling, Director of Public Works Butler affirmed that the funding is the same funding that was offered for the proposed local improvement district. He described some of the improvements that were initially proposed as low seat walls, low lighting for foot traffic, decorative paving, a street furniture plan for bus shelters and patio areas and replacing all of the Australian willows. He clarified that an entry monument at the southwest corner of B Street and Foothill Boulevard is part of this project.

Mayor/Chair Cooper opened the public hearing at 8:51 p.m.

Marlene Herndon, a downtown property owner, reiterated that she was opposed to the formation

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of the district, but spoke favorably of City Manager/Executive Director Armas regarding property owner concerns. She has some concerns with the present project, but felt that property owners would come forward and improve their properties once this project begins.

Jason Moreno asked about the original design study for the downtown area in relation to this project. He asked why a second study needed to be done.

Director of Public Works Butler responded that this is a contract for design of the improvements, not a study, which will cost about \$295,000 for the detailed design.

Mayor Cooper/Chair closed the public hearing at 8:54 p.m.

As the Chair of the Downtown Committee, Council/RA Member Ward commended business and property owners for their interests in improving the downtown and asked that they continue. The Committee still believes that all the originally proposed improvements ought to be completed, but is limited financially. He moved to approve the revised project.

Council/RA Member Jimenez offered the second on his motion.

Council/RA Member Hilson spoke strongly against the motion. He voiced his reasons against this proposal commenting on the recent Council resolution that requires the homeowner to pay a share of the sidewalk repair. The downtown merchants were unwilling to pay their fair share of the costs when Council proposed an improvement district and now we are rewarding them for their unwillingness. He was not in favor of paying the financial costs of this project. He felt that this action is blatantly unfair to the citizens of Hayward and that the three million dollars should be spent by the Redevelopment Agency for the betterment of the entire populous.

Mayor/Chair Cooper reiterated the fact that tax incremental dollars could only be used for the benefit of the redevelopment area.

Council/RA Member Jimenez mentioned how the City built its various parking lots without charging the merchants to improve the downtown economy.

Council/RA Member Rodriguez, who serves on the Council's Downtown Committee with Council/RA Members Ward and Jimenez, empathized with Council/RA Member Hilson's remarks. She stated that her priority was Council's commitment to upgrade the downtown. She commended Ms. Herndon, the largest property owner in the downtown, for her efforts.

Council/RA Member Dowling also commented on remarks previously made and shared his disappointment that the district was not formed. He felt that this project could energize property owners to partner with comparable investments. He also thanked Ms. Herndon and others for their efforts.



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Council/RA Member Henson felt that with this action there would be more forthcoming from the property owners. He shared Council/RA Member Hilson's frustrations, but felt that this was something that needs to be completed.

It was moved by Council/RA Member Ward, seconded by Council/RA Member Jimenez, and carried by the following roll call vote to adopt the following:

AYES: Council/RA Members Jimenez, Rodriquez, Ward,  
Dowling, Henson  
MAYOR/Chair Cooper  
NOES: Council/RA Member Hilson  
ABSENT: None  
ABSTAINED: None

Resolution 01-149, " Resolution Authorizing the City Manager to  
Execute Amendments to the Professional Services Agreement with  
Berryman and Henigar "

RA Resolution 01-11, "Resolution Amending Resolution RA 01-  
10, as Amended, the Redevelopment Budget Resolution for Fiscal  
Year 2001-2002, Relating to a Transfer of Funds from the  
Redevelopment Agency Fund to the Capital Improvement Fund"

Resolution 01-150, "Resolution Amending Resolution 01-097, as  
Amended, the Capital Improvement Budget for Fiscal Year 2001-  
2002, Relating to an Appropriation of Funds from the Capital  
Improvement Fund to the Downtown Sidewalk Rehabilitation  
Project"

## **COUNCIL REPORTS**

There were no Council Reports.

## **ADJOURNMENT**

Mayor Cooper adjourned the meeting at 9:02 p.m.

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**APPROVED:**

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Roberta Cooper, Mayor, City of Hayward  
Chair, Redevelopment Agency

**ATTEST:**

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Angelina Reyes, City Clerk, City of Hayward  
Secretary, Redevelopment Agency

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